DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSE REZONING CERTAIN REAL PROPERTY OF APPROXIMATELY 0.48 ACRE SITUATED AT THE WEST SIDE OF MERIDIAN AVENUE, APPROXIMATELY 370 FEET SOUTHERLY OF FRUITDALE AVENUE (923 AND 927 MERIDIAN AVENUE), FROM THE A(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO THE CP COMMERCIAL PEDESTRIAN ZONING DISTRICT

WHEREAS, all rezoning proceedings required under the provisions of Chapter 20.120 of Title 20 of the San José Municipal Code have been duly had and taken with respect to the real property hereinafter described; and

WHEREAS, pursuant to Section 15168(c)(2) of the CEQA Guidelines, the City of San José has determined that the proposed rezoning is pursuant to, in furtherance of and within the scope of the previously approved program evaluated in the Final Program Environmental Impact Report for the Envision San José 2040 General Plan (the "FEIR"), for which findings were adopted by City Council through its Resolution No. 76041 on November 1, 2011, and Supplemental Environmental Impact Report (the "SEIR"), through Resolution No. 77617, adopted by City Council on December 15, 2015, and Addenda thereto, and does not involve new significant effects beyond those analyzed in the FEIR and SEIR; and

WHEREAS, the City Council of the City of San José is the decision-making body for the proposed subject rezoning to the CP Commercial Pedestrian Zoning District; and

WHEREAS, this Council of the City of San José has considered and approves the information contained in the FEIR and related City Council Resolution No. 76041 and the

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SEIR and related City Council Resolution No. 77617, and Addenda thereto, and the determination of consistency therewith prior to acting upon or approving the subject rezoning;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. The recitals above are incorporated herein.

SECTION 2. All that real property hereinafter described in this section, hereinafter referred to as "subject property," is hereby rezoned as CP Commercial Pedestrian Zoning District.

The subject property referred to in this section is all that real property situated in the County of Santa Clara, State of California, described and depicted in Exhibit "A" attached hereto and incorporated herein by this reference.

SECTION 3. The district map of the City is hereby amended accordingly.

SECTION 4. The land development approval that is the subject of City File No. C17-048 is subject to the operation of Part 2.75 of Chapter 15.12 of Title 15 of the San José Municipal Code. The applicant for or recipient of such land use approval hereby acknowledges receipt of notice that the issuance of a building permit to implement such land development approval may be suspended, conditioned or denied where the City Manager has determined that such action is necessary to remain within the aggregate operational capacity of the sanitary sewer system available to the City of San José or to meet the discharge standards of the sanitary sewer system imposed by the California Regional Water Quality Control Board for the San Francisco Bay Region.

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PASSED FOR PUBLICATION of title this ___ day of _____, 2018 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

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EXHIBIT "A"

Legal Description

For APN/Parcel ID(s): 284-03-010 and 284-03-009

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN JOSE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

PARCEL ONE:

BEGINNING AT A POINT ON THE WESTERLY LINE OF MERIDIAN ROAD, DISTANT THEREON 430.07 FEET SOUTHERLY FROM THE POINT OF INTERSECTION OF THE SOUTHERLY LINE OF FRUITDALE AVENUE WITH THE WESTERLY LINE OF MERIDIAN ROAD; THENCE NORTHERLY ALONG THE WESTERLY LINE OF MERIDIAN ROAD, 46.67 FEET; THENCE AT RIGHT ANGLES WESTERLY 150 FEET; THENCE AT RIGHT ANGLES SOUTHERLY AND PARALLEL WITH THE WESTERLY LINE OF MERIDIAN ROAD, 46.67 FEET; THENCE AT RIGHT ANGLES EASTERLY 150 FEET TO THE POINT OF BEGINNING.

PARCEL TWO:

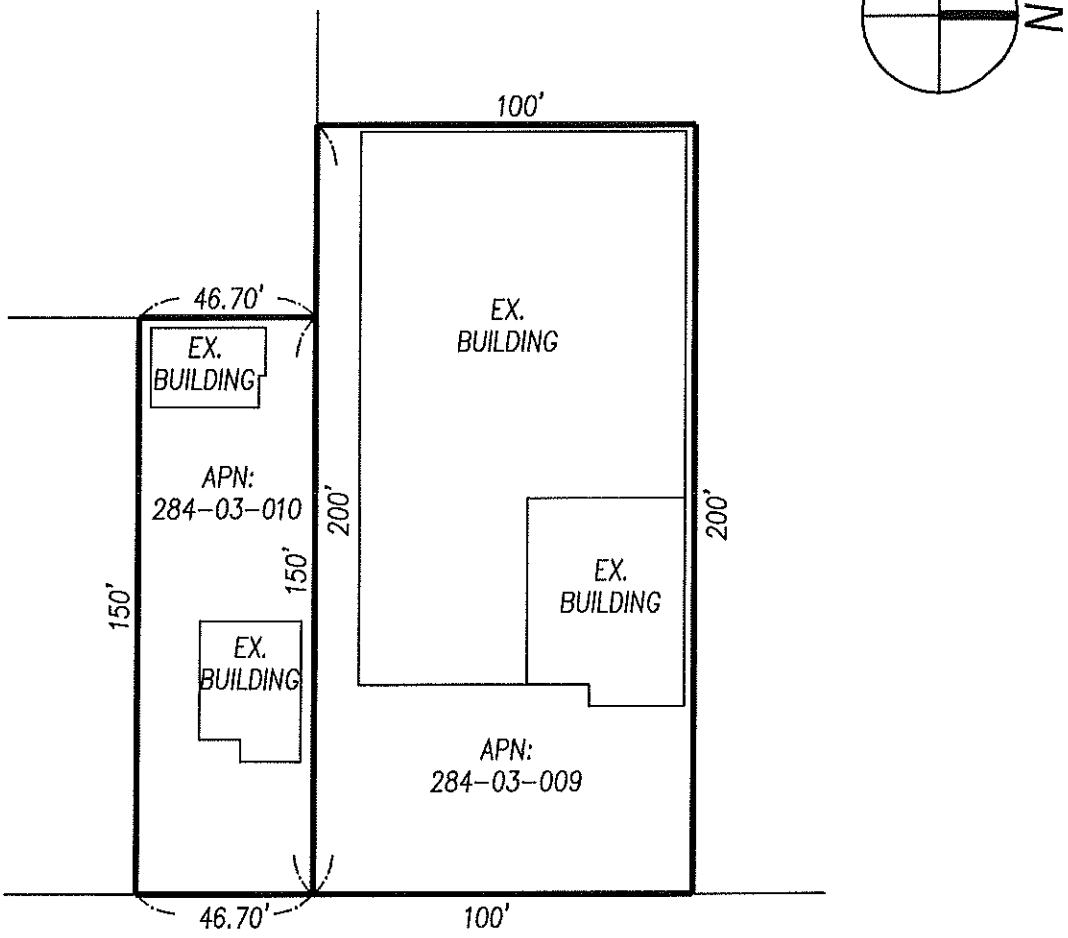
BEGINNING AT A POINT IN THE CENTER OF THE MERIDIAN ROAD, DISTANT ONE HUNDRED FORTY (140) FEET NORTH OF THE POINT IN THE CENTER OF SAID ROAD AT THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED BY ONE CHARLES E. PARKS AND CATHERINE PARKS, HIS WIFE, OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, TO M. ROSS, BY DEED DATED FEBRUARY 10, 1881 AND RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SANTA CLARA COUNTY, IN BOOK 58 OF DEEDS, PAGE 465; RUNNING THENCE ALONG THE CENTER OF SAID ROAD NORTH SEVENTY (70) FEET; THENCE ALONG A LINE NORTH 89° 45 WEST TO THE WEST LINE OF SAID ROAD, AND CONTINUING IN SAID LINE NORTH 89° 45' WEST TWO HUNDRED (200) FEET TO A POINT; THENCE AT RIGHT ANGLES SOUTHERLY AND PARALLEL TO THE MERIDIAN ROAD SEVENTY (70) FEET; THENCE AT RIGHT ANGLES EASTERLY TWO HUNDRED (200) FEET TO A POINT ON THE WEST SIDE OF THE MERIDIAN ROAD AND CONTINUING EASTERLY ON SAID LINE TO THE CENTER OF SAID ROAD AND POINT OF BEGINNING. BEING A PART OF THE 7.018 ACRE TRACT OF THE RANCHO LOS COCHES.

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7-048)

C17-048

FOR PLANNING PURPOSES ONLY



MERIDIAN AVE

ZONING	284-03-010	284-03-009
EXISTING	A(PD)	A(PD)
PROPOSED	CP	CP

REGISTERED PROFESSIONAL ENGINEER
MONICA WUEBKER-JARWIN
No. 72740
Exp. 06/30/18
CIVIL
STATE OF CALIFORNIA

REZONE PLAT, EXHIBIT "A"

TITLE OF PLAT MERIDIAN AVE MOB REZONE PLAT
ENGINEERING COMPANY CARTWRIGHT NORCAL
ADDRESS 4180 DOUGLAS BLVD, SUITE 200 GRANITE BAY, CA 95746
PHONE NUMBER (916) 978-4001
ENGINEER'S LICENSE NO. SEAL 72740

DATE 11/01/17
SCALE 1" = 50'
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